

SUBDIVISIONS

Developer Information for Subdivisions With no Public Improvements



CARBON COUNTY PLANNING DEPARTMENT

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Subdivisions on existing County & State Roads or Private Drives – No Public Improvements

Utah Code 17-27a-603 states that whenever any land is laid out and platted, the owner of the land shall provide an accurate plat, that the plat conforms to the county's ordinances and has been approved by the culinary water authority and sanitary sewer authority, that the land has tax clearance, that the owner of the land is authorized to convey the real estate, and that the plat has been properly recorded in the county recorder's office. The Utah Code does allow exemptions from the plat requirement for agricultural land divisions:

17-27a-605. Exemptions from plat requirement.

(1) Notwithstanding Sections **17-27a-603** and **17-27a-604**, the land use authority may approve the subdivision of unincorporated land into ten lots or less without a plat, by certifying in writing that:

(a) the county has provided notice as required by ordinance; and

(b) the proposed subdivision:

(i) is not traversed by the mapped lines of a proposed street as shown in the general plan and does not require the dedication of any land for street or other public purposes;

(ii) has been approved by the culinary water authority and the sanitary sewer authority;

(iii) is located in a zoned area; and

(iv) conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.

(2) (a) Subject to Subsection (1), a lot or parcel resulting from a division of agricultural land is exempt from the plat requirements of Section **17-27a-603** if the lot or parcel:

(i) qualifies as land in agricultural use under Section **59-2-502**;

(ii) meets the minimum size requirement of applicable land use ordinances; and

(iii) is not used and will not be used for any nonagricultural purpose.

(b) The boundaries of each lot or parcel exempted under Subsection (1) shall be graphically illustrated on a record of survey map that, after receiving the same approvals as are required for a plat under Section **17-27a-604**, shall be recorded with the county recorder.

(c) If a lot or parcel exempted under Subsection (2)(a) is used for a nonagricultural purpose, the county may require the lot or parcel to comply with the requirements of Section **17-27a-603**.

(3) (a) Documents recorded in the county recorder's office that divide property by a metes and bounds description do not create an approved subdivision allowed by this part unless the land use authority's certificate of written approval required by Subsection (1)(a)(ii) is attached to the document.

(b) The absence of the certificate or written approval required by Subsection (1) does not affect the validity of a recorded document.

(c) A document which does not meet the requirements of Subsection (1) may be corrected by the recording of an affidavit to which the required certificate or written approval is attached in accordance with Section **57-3-106**.

Carbon County is interested in streamlining the subdivision review process for Subdivisions which do not require public improvements to be installed by the developer. Sometimes there are misconceptions about what a subdivision really is. Under Utah Law and Carbon County Ordinance, anytime a property is split or divided, a subdivision plat or an agricultural waiver must be filed in the Recorder's office. Even if you are only giving a lot to relatives, a subdivision plat must be filed before Carbon County will issue a building permit for a home.

When dividing up farm or other agricultural land, by Utah law, an agricultural waiver must be applied for and approved if there are areas of land "left over" in your parcel after the division to create a lot. Qualify for this exemption to the State subdivision laws, the land must be taxed as Farmland or "Greenbelt". If your small subdivision will result in land being left out of the plat, you must also show that land on a separate plat and ask the Zoning Administrator for An Agricultural Waiver application to be administered concurrent with the subdivision plat.

Carbon County currently allows this type of subdivision to be approved in the following ways:

1. Subdivisions with 1 to 3 lots may be approved by the Site Plan Review Committee which generally meets the first Tuesday of each month at 3:30 PM.
2. Subdivisions with 4 to 10 lots may be approved by the Planning Commission which generally meets the first Tuesday of each month at 4:30 PM.

In order for the Site Plan Review Committee or Planning Commission to approve your proposed subdivision, you must submit to the Zoning Administrator the following information at least 2 weeks before the meeting:

1. A plat, prepared to County standards, by a Licensed Professional Surveyor of the land to be divided. The surveyor must survey the land before preparing the plat, so it is best to make contact and arrangements as soon as possible.
 1. A letter or other evidence must be obtained either from Price River Water Improvement District or the water company which will provide water to your lot(s) showing that you have met their requirements for connection to their system. Normally you must also provide a Scofield Reservoir water share to be eligible for a culinary connection. If you are in an outlying area, you must either meet the requirements of the Health Department for the proper installation of a cistern, turn over a share of Scofield water and haul the water, or meet the requirements of the State Engineer for development of a well or spring. You must also submit a fire flow test from the Price River Water Improvement District, or the local fire department serving the area of the proposed development. The County requires a minimum flow of 500 gallons per minute, with a reduction allowed to 250 gallons per minute for the installation of an automatic fire sprinkling system, or when approved by the fire chief.
 2. A letter or other evidence must be obtained from Price River Water Improvement District showing that you have met the District's requirements for connection to their central sewer system or, a letter from the Southeastern Health District if sewer is not available, stating a suitable private or central wastewater disposal system (septic) is approved for the development.

3. The plat must show how you will obtain access to your proposed lot(s). Carbon County regulations do allow Private Common Drives in some cases. If you plan a Private Drive, you must either actually install it to County Standards prior to approval of the subdivision, or you must execute a Development Agreement to ensure the installation, or obtain a financial guarantee to ensure the construction of the drive in the form of a letter of credit or performance bond.
4. A storm drainage plan prepared by a Professional Engineer, Contractor or qualified design professional for the proposed subdivision.
5. Approval from either the County Road Supervisor or Utah Department of Transportation regarding permanent access to your lot(s). 636-3268 - County Roads 636-1470 - UDOT
6. Approval from the County Weed Supervisor for control of noxious weeds. 636-3270

After you have met with a representative of the County Planning Department and you understand the requirements of the zone in which your subdivision will be located, and you have read these instructions, please feel free to contact us between the hours of 8 AM and 5 PM for further information. After your proposed subdivision has been scheduled for a meeting and approved by the proper authority, the plat must be recorded in the Office of the County Recorder at your expense and will be a permanent record of the land division.

You should plan on 60 to 90 days to obtain final approval and filing or recording of your Subdivision before you may obtain a building permit. Remember, these regulations are the *minimum* standards which must be met to comply with State and County Laws, and to protect the public health safety & welfare. You may exceed these standards if you wish to develop a higher standard subdivision. Many subdivisions contain special features such as trails, landscaping, open space, or other improvements and attractions. Carbon County does not supply electrical energy for street lighting. If you plan lighting or other special features, you will need to form a homeowners association to maintain them. We are administering your request in this manner because of information you have given us. If it is later found to be incorrect, it may be that we will not be able to administer your request, or it may need to be reviewed as a Subdivision with public improvements. We cannot administer incomplete applications.

Minimum Standards for Subdivision Plats

The following minimum standards shall be followed for all Subdivision plats submitted to the Zoning Administrator and Engineer for review prior to placing the Subdivision plan on an agenda of the Site Plan review Committee or the Planning Commission:

1. Shall be on 24' by 36" mylar or 100% Rag with 2-1/2' border on left, 3/4" border on others.
2. Black ink, Scale of 1 inch = 100 ft minimum or larger shown by bar graph.
3. The top of the plat shall be either north or east, along with a North arrow.
4. Name of proposed Subdivision.
5. Vicinity map along with Section, Range and Township.
6. Title block (sample in this packet) for identification and signature of approval by:
 - Land Owner
 - Chairman of Planning Commission for 4 to 10 lots, or
 - Zoning Administrator or Deputy for 1-3 lots
 - County Surveyor
7. Professional Land Surveyors certificate and stamp.
8. Location and ties to at least *two* public survey monuments which are in place.
9. Name and location of all streets, roads, and public utility easements.
10. Ownership of all adjoining land.
11. The date of the preparation of the plat.
12. A metes and bounds description prepared as per "Writing Legal Descriptions" by Gordon H. Wattles - 1979, with a basis of bearing, and a point of beginning for each lot in the subdivision with enough information to close mathematically.
13. A legal description of any Easements, Private Common Drives or Restricted Access Roads which will provide perpetual access to any or all lots.
14. Description points of beginning (POB) shall be tied to a public survey monument which is in place, and one tie distance shall be along a section line, center of section, or one-sixteenth line.
15. Lengths shall be shown to hundredths of a foot and angles shall be shown to seconds on an arc.
16. Corners shall be set with a minimum 5/8" by 24" reinforcing bar, with at least one corner tagged or marked with the P.L.S. number.
17. All lots shall be numbered.
18. A legend shall show:
 - A. what was set
 - B. section corners found
 - C. Property lines
 - D. Fence lines
19. Corner perpetuation forms shall be turned in for public survey monuments used.

The following signature blocks shall be used with subdivisions of one to three (1-3) lots, approved by the Site Plan review Committee:

SITE PLAN REVIEW COMMITTEE

David W. Levanger, Chairman

Date

OFFICE OF CARBON COUNTY ENGINEER

Ben Grimes, Deputy Carbon County Surveyor

Date

Recorded _____

State of Utah, County of Carbon, Recorded and filed at the request of

Date _____ Time _____ Book _____ Page _____

Vickie Barnett, County Recorder

The following signature block shall be substituted for the first one listed above, Site Plan Review Committee, for subdivisions of four to ten (4-10) lots:

CARBON COUNTY PLANNING COMMISSION

Richard Tatton, Chairman

Date

Regulating Agencies and phone numbers:

Price River Water Improvement District
Jeff Richins, District Manager 637-6350

Southeastern Utah Health District
Dr. Claron Bjork, 637-3671

State of Utah
State Engineer
Marc Stilson
637-1303

Carbon County Road Shop
Ray Hansen, Supervisor
Howard Jennings
636-3268
Carbon County Engineer
Curtis Page 636-3231

Local Professional Land Surveyors:

Art Barker
637-2394
Evan Hansen
637-5748

Talon Resources
687-5310

John Huefner
637-0288

Morgan Moon
637-3437

Albert Spensko
472-5996

Cody Ware
637-2620

CARBON COUNTY, UTAH
APPLICATION TO DEVELOP A SUBDIVISION

Date _____

Developer's Name _____ **Phone** _____

Mailing Address _____

Proposed Subdivision Name _____

Location _____

Number of lots in new subdivision _____

Proposed Lot Size _____

Access: The County Road Department has reviewed the information regarding the above proposed project. Our Review concludes that the following impacts will be:

Ray Hanson, County Road Supervisor, 636-3268 _____ Date

Noxious Weed Review: The County Weed Department has reviewed the location of the above proposed project. Our review concludes that the following mitigation and control requirements are:

Mike Johnson, Supervisor, 636-3270 _____ Date

County Engineer Approval: The County Engineer Department has reviewed the information regarding the above proposed project. Our review concludes the drainage plan and engineering requirements are:

Curtis Page, Engineer, 636-3231 _____ Date

Utah Highway Access: The Utah Department of Transportation has reviewed the information regarding the above proposed project. Our review concludes that the following impacts will be:

UDOT Representative, 636-1470 _____ Date

**CARBON COUNTY, UTAH
PLANNING DOCUMENT**

STORM DRAINAGE PLAN FOR A SUBDIVISION WITH NO PUBLIC IMPROVEMENTS

Date_____

To: The Carbon County Planning Commission, or
Carbon County Site Plan Review Committee

RE: The proposed _____Subdivision

I am a:

[] Registered Professional Engineer #_____

[] Utah Licensed Contractor #_____

[] A Qualified Design Firm or Professional

I have reviewed the plan of development for the above name subdivision and propose the following
be considered for your approval for the drainage plan of development:

[] Minimum Condition;

After a review of the location and plans, I have determined that if the residential structures to built on the lot(s) comply with standard local construction practice by completing the sites with a minimum 2 percent slope for a distance of ten feet away from the buildings and by placing an 18 inch diameter by 20 foot long culvert at the driveway approaches off the County Road - that no significant impact to storm drainage will occur.

[] Design Condition;

I have prepared a storm drainage plan for this subdivision based on the building code and accepted hydrology practices which will mitigate any storm drainage affects in the subdivision and surrounding areas, if the drain facilities are constructed as per the attached plan.

Signature

Attach plans, calculations, data and other information for design.